



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,907	09/26/2003	Jeyhan Karaoguz	14829US02	9187

23446 7590 11/27/2007
MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

REVAK, CHRISTOPHER A

ART UNIT	PAPER NUMBER
----------	--------------

2131

MAIL DATE	DELIVERY MODE
-----------	---------------

11/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Office Action Summary</p>	Application No. 10/672,907	Applicant(s) KARAOGUZ ET AL.	
	Examiner Christopher A. Revak	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/14/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings were received on September 14. These drawings are acceptable and have been entered and made part of the record.

Response to Arguments

2. Applicant's arguments filed have been fully considered but they are not persuasive. It is argued by the applicant that Merriam allegedly fails to disclose "receiving validation information relating to the communication device, **the validation information entered via the communication device**".
3. The examiner disagrees with the applicant's assertion. The claim is vague by only reciting of entry of the validation information via the communication device, but how is this information specifically entered and what exactly constitutes "validation information"? The claim fails to address this feature and fails to distinguish from the prior art teachings of Merriam. Merriam discloses of requiring a computing device to interact with an authorized host computer, see column 2, lines 20-23. In order for the computing device to interact with the host, a user, operating system, or memory-mapped program invokes the functionality of the communication instructions, see column 6, lines 31-37. A user sends unique identification of the computing device and also sends username and password information (validation information) to the host

device, see column 6, lines 49-56. Merriam clearly discloses entry of validation information via the communication device and the applicant's arguments are moot.

4. As per dependent claims 5 and 6, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The teachings of Ishikoff are relied upon for disclosing of determining the location of the device and notifying an authority of the location of the communication device if it has been reported stolen.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4 and 7-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Merriam, U.S. Patent 6,643,781.

As per claim 1, it is disclosed by Merriam of a method for theft prevention of communications devices used in a communication network. A communication device deployed at a location that is communicatively coupled to the communication network is

registered. After registering the communication device, validation information is received wherein the validation information is entered via the communication device. It is then determined whether the communication device is authorized for use in the communication network based on the validation information entered via the communication device (col. 2, lines 21-31 and col. 6, lines 31-40 & 54-65).

As per claim 2, it is taught by Merriam wherein registering the communication device includes the device serial number (col. 6, lines 54-65).

As per claim 3, Merriam discloses wherein receiving the validation information includes receiving the device serial ID number (col. 6, lines 54-65).

As per claim 4, the teachings of Merriam recite of locking the communication device out of the communication network upon determination that the communication device is unauthorized (col. 6, lines 31-40 & 54-65).

As per claim 7, Merriam discloses of a system supporting theft prevention of communication devices used in a communication network. A processor communicatively coupled to the communication network, receives information related to the communication device. The processor receives validation information entered into the communications network via the communications device and determines whether the communication device is authorized for use in the communication network based on the received validation information (col. 2, lines 21-31 and col. 6, lines 31-40 & 54-65).

As per claim 8, Merriam teaches that the processor comprises a personal computer (col. 2, line 63 through col. 3, line 4).

As per claim 9, the disclosure of Merriam teaches of a system supporting theft prevention of communication devices used in a communication network. A communication device is deployed in a home environment. A communication network communicatively coupled to the home environment receives validation information entered via the communication device and relates to the communication device. It is determined whether to grant the communication device access to the communication network, based on the validation information entered via the communication device (col. 2, lines 21-31 and col. 6, lines 31-40 & 54-65).

As per claim 10, it is taught by Merriam that the communication network comprises an Internet infrastructure (col. 3, lines 6-20).

As per claim 11, Merriam discloses that the communication network comprises the Internet (col. 3, lines 6-20).

As per claim 12, the teachings of Merriam disclose that the communication network comprises a closed communication infrastructure (col. 3, lines 6-20).

As per claim 13, it is disclosed by Merriam that the authorization information includes a device serial ID number (col. 6, lines 54-65).

As per claim 14, Merriam teaches that the communication device is a personal computer (col. 2, line 63 through col. 3, line 4).

As per claim 15, Merriam discloses of a system for supporting theft prevention of communication devices used in a communication network. A storage device residing in a first home environment and media device resides in a second home environment. A communication network communicatively coupled to the first home environment and the

second home environment, the communication network analyzes validation information entered via the media device and determines whether to grant access of the media device to the first home environment via the communication network, based on the validation information entered via the media device residing in the second home environment (col. 2, lines 21-31; col. 3, lines 6-20; and col. 6, lines 31-40 & 54-65).

As per claim 16, it is taught by Merriam wherein the communication network analyzes authorization information and determines whether to grant access of the media device to the storage device (col. 6, lines 31-40 & 54-65).

As per claim 17, it is disclosed by Merriam that the communication network comprises an Internet infrastructure (col. 3, lines 6-20).

As per claim 18, Merriam teaches that the communication network comprises the Internet (col. 3, lines 6-20).

As per claim 19, the teachings of Merriam disclose that the communication network comprises a closed communication infrastructure (col. 3, lines 6-20).

As per claim 20, it is disclosed by Merriam that the authorization information includes a device serial ID number (col. 6, lines 54-65).

As per claim 21, Merriam teaches that the communication device is a personal computer (col. 2, line 63 through col. 3, line 4).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merriam, U.S. Patent 6,643,781 in view of Ishikoff, U.S. Patent 5,748,084.

The disclosure of Merriam fails to teach of determining the location of the device and notifying an authority of the location of the communication device if it has been reported stolen. It is taught by Ishikoff et al determining the location of the device and notifying an authority of the location of the communication device if it has been reported stolen (col. 1, lines 59-65 and col. 3, lines 47-54). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to be able to locate a lost or stolen device. The teachings of Colvin recite of motivational benefits by reporting lost or stolen devices by disclosing the aiding in the retrieval of stolen devices by reciting it can expedite in the return of the stolen device and furthermore, can assist in the capture of the thief to act as a deterrent against theft (col. 2, lines 60-66). It would have been obvious that the combination of the teachings of Merriam would have been further secured against theft by applying the teachings of Ishikoff as a measure to aid in the retrieval of stolen devices.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Application/Control Number:
10/672,907
Art Unit: 2131

Page 9

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CR


November 26, 2007

CHRISTOPHER REVAK
PRIMARY EXAMINER

